

# WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

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January 29, 2008

**Via Facsimile and Regular Mail  
(914) 390-4085**

Hon. Charles L. Brieant  
United States District Judge  
United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601

Re: Araz Alali v. Alberto DeBara, individually, Kyle Wilson, individually,  
Edward Austin, individually, George Marshall, individually,  
Humberto Morrell, individually, Matthew Brady, individually,  
Anthony Murphy, individually, Robert Gazzola, individually, Patrick  
J. Carroll, individually, and the City of New Rochelle, New York  
Index No.: 07 Civ. 2916  
Our File No.: 07367.00059

Dear Judge Brieant:

We represent the defendants in this federal civil rights action. Pursuant to your scheduling order, we noticed the plaintiff's deposition relating to the defense of qualified immunity for January 4, 2008. Due to circumstances beyond his control, Mr. Lovett, plaintiff's counsel was unavailable. By agreement, we have selected March 6, 2008 and request your permission to proceed on that date.

Respectfully yours,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP



Peter A. Meisels

PAM:kt

cc: Jonathan Lovett, Esq. (via fax and regular mail)

*Application granted - So ordered  
Jan 29, 2008  
Charles L. Brieant  
USDC*

*FILED  
JAN 30 2008  
FBI NEW YORK*